

EXHIBIT B

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

Chenita Holman v. Patrick Hovelson, Stevens Transport, Inc.

Case Number	73C01-2004-CT-000010
Court	Shelby Circuit Court
Type	CT - Civil Tort
Filed	04/13/2020
Status	04/13/2020 , Pending (active)

Parties to the Case

Defendant Hovelson, Patrick

Attorney Erin A Clancy
#2196249, Lead, Retained

KIGHTLINGER & GRAY LLP
One Indiana Square - Suite 300
211 North Pennsylvania Street
Indianapolis, IN 46204
317-638-4521(W)

Attorney Ryan O. Farner
#2959902, Retained

KIGHTLINGER & GRAY LLP
211 Pennsylvania Street
Suite 300
Indianapolis, IN 46204
317-638-4521(W)

Defendant Stevens Transport, Inc.

Attorney Erin A Clancy
#2196249, Lead, Retained

KIGHTLINGER & GRAY LLP
One Indiana Square - Suite 300
211 North Pennsylvania Street
Indianapolis, IN 46204
317-638-4521(W)

Attorney Ryan O. Farner
#2959902, Retained

KIGHTLINGER & GRAY LLP
211 Pennsylvania Street
Suite 300
Indianapolis, IN 46204
317-638-4521(W)

Plaintiff Holman, Chenita

Attorney Kaitlin Theresa Coons
 #3255249, Retained

 Isaacs and Isaacs
 1601 Business Center Court
 Louisville, KY 40299
 502-458-1000(W)

Chronological Case Summary

04/13/2020 **Case Opened as a New Filing**

04/13/2020 **Subpoena/Summons Filed**

Summons for Patrick Hovelson

Filed By: Holman, Chenita

File Stamp: 04/13/2020

04/13/2020 **Appearance Filed**

Appearance

For Party: Holman, Chenita

File Stamp: 04/13/2020

04/13/2020 **Subpoena/Summons Filed**

Summons for Steven Aaron CEO Stevens Transport, INC

Filed By: Holman, Chenita

File Stamp: 04/13/2020

04/13/2020 **Complaint/Equivalent Pleading Filed**

Complaint and Demand for Jury Trial

Filed By: Holman, Chenita

File Stamp: 04/13/2020

05/12/2020 **Appearance Filed**

Appearance of Erin A. Clancy and Ryan O. Farner on behalf of Defendants

For Party: Hovelson, Patrick

For Party: Stevens Transport, Inc.

File Stamp: 05/12/2020

05/12/2020 **Motion for Enlargement of Time Filed**

Defendants' Motion for Extension of Time to Respond to Plaintiff's Complaint

Filed By: Hovelson, Patrick

Filed By: Stevens Transport, Inc.

File Stamp: 05/12/2020

05/14/2020 **Order Granting Motion for Enlargement of Time**

ORDER ON EXTENSION OF TIME is entered; Defendants, Patrick Hovelson and Stevens Transport, Inc. have up to and including June 22, 2020 within which to respond to Plaintiff's Complaint. cg

Movant: Hovelson, Patrick

Movant: Stevens Transport, Inc.

Order Signed: 05/14/2020

05/15/2020 **Automated ENotice Issued to Parties**

Order Granting Motion for Enlargement of Time ---- 5/14/2020 : Erin A Clancy;Kaitlin Theresa Coons;Ryan O. Farner

Financial Information

* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued – if applicable – since the last payment. For questions/concerns regarding balances shown, please contact the Clerk's Office.

Holman, Chenita

Plaintiff

Balance Due (as of 05/19/2020)

0.00

Charge Summary

Description	Amount	Credit	Payment
Court Costs and Filing Fees	157.00	0.00	157.00

Transaction Summary

Date	Description	Amount
04/13/2020	Transaction Assessment	157.00
04/13/2020	Electronic Payment	(157.00)

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

Shelby Circuit Court

IN THE _____ COURT FOR SHELBY COUNTY
STATE OF INDIANA

CHENITA HOLMAN
Plaintiff,

V.

PATRICK HOVELSON

-and-

Stevens Transport, Inc.)

Defendants.)

CAUSE NO: _____
ELECTRONICALLY FILED

APPEARANCE BY ATTORNEY IN CIVIL CASE

Party Classification: INITIATING

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s): **Chenita Holman**

2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:

Name: Kaitlin T. Coons, LEAD ATTY NO. 32552-49
Carolyn C. Ely ATTY NO. 28368-22
ISAACS & ISAACS, PSC

Address: 1601 Business Center Court
Louisville, Kentucky 40299

PHONE: (502) 458-1000
FAX: (502) 454-5512

3. There are other party members: NO

4. If first initiating party filing this case, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3): CT

5. I will accept FAX service at above noted number: **NO**
6. This case involves support issues. **NO**
7. There are related cases: **NO**
8. This form has been served on all other parties. Certificate of service is attached: **YES X**
9. Additional information required by local rule: _____

/s/Kaitlin Coons Astorino
Kaitlin Coons Astorino, 32552-49
Carolyn C. Ely, #28368-22
ISAACS & ISAACS, P.S.C.
1601 Business Center Court
Louisville, KY 40299
T: (502) 458-1000
F: (502) 454-5512

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing APPEARANCE was this 13th day of April, 2020, delivered to the Initiating, Intervening and other Responding Parties and/or their attorneys of record either in person, or by U.S. Mail-postage prepaid, or by Courthouse Mailbox.

/s/Kaitlin Coons Astorino
Kaitlin Coons Astorino, 32552-49
Carolyn C. Ely, #28368-22
ISAACS & ISAACS, P.S.C.
1601 Business Center Court
Louisville, KY 40299
T: (502) 458-1000
F: (502) 454-5512

Shelby Circuit Court

IN THE _____ COURT FOR SHELBY COUNTY
STATE OF INDIANA

CHENITA HOLMAN
Plaintiff,

V.

PATRICK HOVELSON

-and-

Stevens Transport, Inc.)

Defendants.)

CAUSE NO: _____
ELECTRONICALLY FILED

SUMMONS

THE STATE OF INDIANA TO DEFENDANT: PATRICK HOVELSON

ADDRESS: 5616 Harrington Village Drive
Winston Salem, NC 27105

You have been sued by the person(s) named "Plaintiff", in the Court stated above.

The nature of the suit against you is stated in the Complaint which is attached to this summons. It also states the demand which the Plaintiff has made against you.

You must answer the Complaint in writing to be filed with the Court, by you or your attorney, within twenty (20) days, commencing the day after you receive this summons, (you have twenty-three (23) days to answer if this summons was received by mail), or judgment will be entered against you for what the Plaintiff has demanded.

If you deny the demand and/or have a claim for relief against the Plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.

It is suggested that you consult with an attorney of your choice regarding this matter.

The following manner of service of summons is hereby designated:
Certified Mail, Return Receipt Requested.

Dated: **April 13th**, 20**20**

Kaitlin Coons Astorino, 32552-49
Attorney for the Plaintiff
1601 Business Center Court
Louisville, Kentucky 40229
Telephone: (502) 458-1000


Clerk

The seal is circular with the text "JEFFERSON COUNTY CLERK" around the top edge and "SEAL" in the center. Below the seal, the year "2019" is visible.

IN THE _____ COURT FOR SHELBY COUNTY
STATE OF INDIANA

CHENITA HOLMAN
Plaintiff,

V.

PATRICK HOVELSON

-and-

Stevens Transport, Inc.

Defendants.

CAUSE NO: _____
ELECTRONICALLY FILED

SUMMONS

THE STATE OF INDIANA TO DEFENDANT:STEVEN AARON,
CEO STEVENS TRANSPORT, INC

ADDRESS: 9757 Military Parkway
Dallas, TX 75227

You have been sued by the person(s) named "Plaintiff", in the Court stated above.

The nature of the suit against you is stated in the Complaint which is attached to this summons. It also states the demand which the Plaintiff has made against you.

You must answer the Complaint in writing to be filed with the Court, by you or your attorney, within twenty (20) days, commencing the day after you receive this summons, (you have twenty-three (23) days to answer if this summons was received by mail), or judgment will be entered against you for what the Plaintiff has demanded.

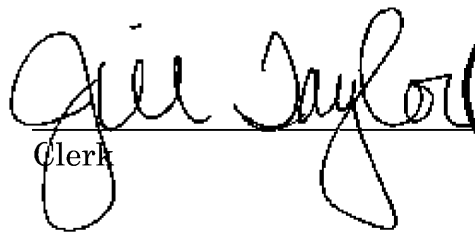
If you deny the demand and/or have a claim for relief against the Plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.


It is suggested that you consult with an attorney of your choice regarding this matter.

The following manner of service of summons is hereby designated:
Certified Mail, Return Receipt Requested.

Dated: **April 13th**, 20**20**

Kaitlin Coons Astorino, 32552-49
Attorney for the Plaintiff
1601 Business Center Court
Louisville, Kentucky 40229
Telephone: (502) 458-1000


Clerk



IN THE _____ COURT FOR SHELBY COUNTY
STATE OF INDIANA

CHENITA HOLMAN
Plaintiff,

V.

PATRICK HOVELSON

-and-

Stevens Transport, Inc.

Defendants.

CAUSE NO: _____
ELECTRONICALLY FILED

COMPLAINT AND DEMAND FOR JURY TRIAL

Comes the Plaintiff, Chenita Holman, by and through counsel, and for her Complaint and causes of action against the Defendants, Patrick Hovelson and Stevens Transport, Inc., herein state as follows:

1. Plaintiff Chenita Holman (hereinafter “Plaintiff”) is, and was at all times relevant herein, a resident of Indianapolis, Marion County, Indiana.

2. Upon information and belief, Defendant Patrick Hovelson (hereinafter “Hovelson”) is, and was at all times relevant herein, a resident of 5616 Harrington Village Drive, Winston Salem, NC 27105.

3. Upon information and belief, Stevens Transport, Inc. (hereinafter “Stevens Transport”) is a foreign corporation lawfully conducting business in the state of Indiana with a home office address of 9757 Military Parkway, Dallas, TX 75227.

4. The incident giving rise to this action occurred in Shelby County,

Indiana, and the damages are in excess of the jurisdictional limits of this Court.

5. That on or about the 22nd day of July, 2018, Plaintiff was operating a vehicle, with all due care on a public highway, being CR 400 N near the entrance to I-74 in Shelbyville, Shelby County, Indiana.

6. That on the aforementioned date, at the approximate same time and at the place set forth above, Defendant Patrick Hovelson was also operating a 2018 Kenworth semi tractor-trailer exiting I-74 at exit 109 and turned right onto CR 400 N.

7. That Defendant Hovelson operated the vehicle he was driving in such a negligent manner on the date, time and location set forth above as to cause his vehicle to collide with the vehicle operated by Plaintiff.

8. That said vehicle being operated by Defendant Patrick Hovelson was owned by Defendant Stevens Transport.

CLAIMS AGAINST PATRICK HOVELSON
COUNT I: NEGLIGENCE

9. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

10. That at all times relevant herein, Defendant Hovelson owed a duty to Plaintiff to maintain a proper lookout and to operate his vehicle in a reasonably safe manner.

11. That Defendant Hovelson breached his duty owed to Plaintiff.

12. That Defendant Hovelson failed to maintain a proper lookout or operate his vehicle in a reasonably safe manner, thereby causing his vehicle to collide with

the vehicle of the Plaintiff.

13. As a direct and proximate result of the foregoing negligence and carelessness of Defendant Hovelson, Plaintiff sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; has suffered and will continue to suffer pain, suffering, mental anguish and inconvenience; has incurred lost wages and will continue to lose wages; and has incurred a permanent impairment of her power to labor and earn money.

14. That as a direct and proximate result of the negligence of Defendant Hovelson in operating the motor vehicle, Plaintiff has been caused to suffer damages in excess of the jurisdictional limits of this Court.

CLAIMS AGAINST STEVENS TRANSPORT, INC.
COUNT II: RESPONDEAT SUPERIOR

15. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

16. Upon information and belief, on the date set forth above, Defendant Hovelson was employed by Defendant Stevens Transport, and was operating the vehicle within the course and scope of his employment with said Defendant.

17. That at all times relevant herein Defendant Hovelson was acting within the course and scope of his employment with Defendant Stevens Transport.

18. As a direct and proximate result of the negligence of Defendant Patrick Hovelson in operating the vehicle in the course and scope of his employment, the doctrine of *Respondeat Superior* applies and transfers liability to Defendant Stevens Transport.

COUNT III: NEGLIGENCE HIRING AND RETENTION

19. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

20. That Defendant Stevens Transport knew, or should have known, through the use of ordinary care when it hired Defendant Hovelson that Defendant Hovelson was a negligent and/or careless driver.

21. That Defendant Stevens Transport, upon the use of ordinary care in determining that Defendant Hovelson was a negligent and/or careless driver, was negligent in retaining Defendant Hovelson as an employee and allowing said employee to continue to use its motor vehicle in such a negligent manner so as to cause it collide with the vehicle operated by the Plaintiff, thereby causing Plaintiff to suffer bodily injuries.

22. That as a direct and proximate result of the negligence of Defendant Stevens Transport in hiring and/or retaining Defendant Hovelson, Plaintiff was caused to suffer serious bodily injury and because of the bodily injuries sustained by Plaintiff, Plaintiff has sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; has suffered and will continue to suffer pain, suffering, mental anguish and inconvenience; has incurred lost wages and will continue to lose wages; and has incurred a permanent impairment of her power to labor and earn money.

COUNT IV: NEGLIGENCE SUPERVISION AND TRAINING

23. Plaintiff adopts and reiterates each and every allegation as if set out fully herein and incorporates the same by reference.

24. That Defendant Stevens Transport had a duty to ensure that its drivers are properly trained, licensed, and qualified to operate commercial vehicles.

25. That Defendant Stevens Transport failed to properly train and/or supervise Defendant Hovelson to safely operate the vehicle that he was driving on the aforementioned date.

26. That as a direct and proximate result of the negligence of Defendant Stevens Transport in failing to properly train and/or supervise Defendant Hovelson, Plaintiff was caused to suffer serious bodily injury and because of the bodily injuries sustained by Plaintiff, Plaintiff has sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; has suffered and will continue to suffer pain, suffering, mental anguish and inconvenience; has incurred lost wages and will continue to lose wages; and has incurred a permanent impairment of her power to labor and earn money.

WHEREFORE, Plaintiff, Chenita Holman, demands judgment against Defendants Patrick Hovelson and Stevens Transport, Inc. as follows:

1. Judgment against each defendant for compensatory damages in an amount in excess of the amount necessary to invoke the jurisdiction of this court and reasonably calculated to compensate Plaintiff Chenita Holman for her damages, to include:

a. Past and future medical expenses;

- b. Past and future physical and mental pain, suffering, anguish and inconvenience;
 - c. Lost wages;
 - d. Diminished capacity to labor and earn income; and
2. Prejudgment interest;
3. Interest on any amount to which Plaintiff may be adjudicated to be entitled to accrue from the date of the filing of this action until paid;
4. Costs herein expended;
5. Trial by jury; and
6. Any and all other appropriate relief to which Plaintiff may appear to be justly entitled.

Respectfully submitted,

/s/Kaitlin Coons Astorino
Kaitlin Coons Astorino, 32552-49
Carolyn C. Ely, #28368-22
ISAACS & ISAACS, P.S.C.
1601 Business Center Court
Louisville, KY 40299
T: (502) 458-1000
F: (502) 454-5512

Counsel for Plaintiff, Chenita Holman

DEMAND FOR JURY TRIAL

Comes now the Plaintiff, Chenita Holman, and demands a trial by jury on all issues so triable.

/s/Kaitlin Coons Astorino
Kaitlin Coons Astorino, 32552-40
Isaacs & Isaacs, P.S.C.
1601 Business Center Court
Louisville, Kentucky 40299-2370
Telephone: (502) 458-1000
Facsimile: (502) 454-5512
Email: ely@isaacsandisaacs.com
Counsel for Plaintiff Chenita Holman

STATE OF INDIANA)
)
)SS:
COUNTY OF SHELBY) CAUSE NO. 73C01-2004-CT-000010

CHENITA HOLMAN,)
)
) Plaintiff,)
)
)
) v.)
)
)
) PATRICK HOVELSON and)
)
) STEVENS TRANSPORT, INC.,)
)
)
) Defendants.)

APPEARANCE BY ATTORNEY IN CIVIL CASE

Party Classification: Initiating _____ Responding X Intervening _____

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s):

PATRICK HOVELSON AND STEPHENS TRANSPORT, INC.

2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) as follows:

Name:	Erin A. Clancy	Atty. Number:	21962-49
	Ryan O. Farner	Atty. Number:	29599-02
Address:	KIGHTLINGER & GRAY, LLP	Phone:	(317) 638-4521
	One Indiana Square, Suite 300	Fax:	(317) 636-5917
	211 N. Pennsylvania Street	Email:	ecclancy@k-glaw.com
	Indianapolis, IN 46204	Email:	rfarner@k-glaw.com

[List on continuation page the additional attorneys appearing for above party member(s)]

3. There are other party members: Yes _____ No X (If yes, list on continuation page.)
4. If first initiating party filing this case, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3): _____
5. I will accept service by FAX at the above noted number: Yes ____ No X
6. This case involves support issues. Yes _____ No X (If yes, supply social security numbers for all family members on continuation page.)

7. There are related cases: Yes ____ No X (If yes, list on continuation page).
8. This form has been served on all other parties.
Certificate of Service is attached: Yes X No ____
9. Additional information required by local rule: _____

Respectfully submitted,

KIGHTLINGER & GRAY, LLP

By: /s/ Erin A. Clancy

Erin A. Clancy, #21962-49

Ryan O. Farner, #29599-02

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2020, the foregoing was filed electronically. Service of this filing will be made on all registered counsel by operation of the Court's electronic filing system.

Kaitlin T. Coons - kaitlin@isaacsandisaacs.com

Carolyn C. Ely - ely@isaacsandisaacs.com

ISAACS & ISAACS, PSC

1601 Business Center Court

Louisville, KY 40299

Attorney for Plaintiff

/s/ Erin A. Clancy

Erin A. Clancy

KIGHTLINGER & GRAY, LLP

One Indiana Square, Suite 300

211 N. Pennsylvania Street

Indianapolis, IN 46204

eclancy@k-glaw.com

rfarner@k-glaw.com

(317)-638-4521 – telephone

(317) 636-5917 – facsimile

STATE OF INDIANA)	IN THE SHELBY COUNTY CIRCUIT COURT
)SS:	
COUNTY OF SHELBY)	CAUSE NO. 73C01-2004-CT-000010
CHENITA HOLMAN,)	
)	
Plaintiff,)	
)	
v.)	
)	
PATRICK HOVELSON and)	
STEVENS TRANSPORT, INC.,)	
)	
Defendants.)	

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO RESPOND TO
 PLAINTIFF'S COMPLAINT**

Defendants, Patrick Hovelson and Stevens Transport, Inc., by counsel, respectfully move the Court for an extension of time of 30 days up to and including June 22, 2020, in which to file a responsive pleading to Plaintiff's Complaint for Damages. In support of said Motion, Defendants show the Court:

1. That Plaintiff's Complaint was filed on April 13, 2020, and service was perfected on April 30, 2020 via certified mail, thereby making Defendants' response due no earlier than May 23, 2020.
2. Defendants respectfully request an initial enlargement of time of thirty (30) days or to and including June 22, 2020, within which to answer or otherwise respond to Plaintiff's Complaint.
3. This request for an enlargement of time is not made for the purposes of delay, but rather to allow time for Defendants' counsel to prepare a proper response to Plaintiff's Complaint.

4. Counsel for Defendants contacted counsel for Plaintiff who has no objection to the filing of this motion.

WHEREFORE, Defendants, Patrick Hovelson and Stevens Transport, Inc., prays that the time for filing a responsive pleading to the Plaintiff's Complaint be extended for a period of thirty (30) days, up to and including June 22, 2020.

Respectfully submitted,

KIGHTLINGER & GRAY, LLP

By: /s/ Erin A. Clancy

Erin A. Clancy, #21962-49

Ryan O. Farner, #29599-02

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2020, the foregoing was filed electronically. Service of this filing will be made on all registered counsel by operation of the Court's electronic filing system.

Kaitlin T. Coons - kaitlin@isaacsandisaacs.com

Carolyn C. Ely - ely@isaacsandisaacs.com

ISAACS & ISAACS, PSC

1601 Business Center Court

Louisville, KY 40299

Attorney for Plaintiff

/s/ Erin A. Clancy

Erin A. Clancy

KIGHTLINGER & GRAY, LLP

One Indiana Square, Suite 300

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